

AMENDED IN SENATE MAY 27, 2003  
AMENDED IN ASSEMBLY MARCH 19, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 79**

**Introduced by Assembly Member Dutra**

December 23, 2002

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An act to add and repeal Section 7550.5 of the Government Code, relating to public agencies, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 79, as amended, Dutra. Written reports: preparation.

(1) Existing law requires various written reports to be prepared and submitted by state and local agencies to the Legislature or the Governor.

This bill would, until January 1, 2008, provide that a ~~state or local agency is not~~ *public agency, as defined, may not be* required to prepare or submit any otherwise required written report to the Legislature ~~or~~, the Governor, *or any state legislative or executive body* unless any one of specified conditions is met or the report is required to be prepared and submitted pursuant to this act.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 7550.5 is added to the Government Code, to read:

7550.5. (a) *For purposes of this section:*

(1) *‘Public agency’ means any state or local agency or district, including, but not limited to, a school district, the University of California, the California State University, and the California Community Colleges.*

(2) *‘Written report’ means a document that a statute requires to be prepared and submitted to the Legislature, the Governor, or any state legislative or executive body.*

(b) Notwithstanding any other provision of law, ~~no state or local agency shall~~ a public agency may not be required to prepare or submit any otherwise required written report to the Legislature ~~or the Governor,~~ the Governor, or any state legislative or executive body unless the report is specified in subdivision (b) or any of the following has occurred:

(1) The report is required, in whole or in part, by a court order, federal law, or federal regulation.

(2) The report is required in the annual Budget Act.

(3) The Legislature expressly provides that, notwithstanding this section, a written report shall be prepared and submitted.

(4) The report is necessary for the preparation of the annual Budget Act or the implementation of that act, as determined by the Department of Finance.

~~(b) Except as specified in subdivision (a), the following reports~~

(5) *The report is required pursuant to Division 1.2 (commencing with Section 473) of the Business and Professions Code or is required by statute for any entity governed by Division 2, 3, or 8 of the Business and Professions Code.*

(c) *Reports* shall be prepared and submitted pursuant to the following provisions of law:

(1) Sections 14030.2 and 14076 of the Corporations Code.

(2) *Sections 66742, 89030.1, and 89720 of the Education Code.*

(3) Section 411 of the Food and Agricultural Code.

~~(3) Sections 7085 and 15320 of this code.~~

~~(4) Section 132352.6 of the Public Utilities Code.~~

~~(e)~~

1 (4) Sections 7085, 15320, and 65400 of this code.

2 (5) Section 10722 of the Public Contract Code.

3 (6) Sections 316.5 and 132352.6 of the Public Utilities Code.

4 (7) Section 53.5 of Chapter 171 of the Statutes of 2001.

5 (8) All reports pertaining to Item 6610-001-0001 required in  
6 the Legislative Analyst's office's Supplemental Report of the  
7 Budget Act of 2002.

8 (d) This section shall remain in effect only until January 1,  
9 2008, and as of that date is repealed, unless a later enacted statute,  
10 that is enacted before January 1, 2008, deletes or extends that date.

11 SEC. 2. This act is an urgency statute necessary for the  
12 immediate preservation of the public peace, health, or safety  
13 within the meaning of Article IV of the Constitution and shall go  
14 into immediate effect. The facts constituting the necessity are:

15 A drastic reduction in state resources available for the  
16 preparation and submission of written reports to the Legislature  
17 and the Governor requires that this act take effect immediately.

